

Remarks

Claims 9-11, 13-17, and 19-22 are pending in the application, and stand rejected. Claims 12 and 18 have been canceled without prejudice to or disclaimer of the subject matter therein.

Claims 9-22 were rejected under 35 USC 103(a) as being unpatentable over Newman et al. (US 5,907,816) ("Newman") in view of Antonio et al. (US 5,621,752) ("Antonio"). Of these, claims 9-11, 13-17, and 19-22 remain pending. The Applicant respectfully traverses. The asserted rejection cannot be sustained for at least the reason that the combination of Newman and Antonio does not suggest "processing the strongest beam by a primary transceiver of the plurality of receivers" as recited in independent claim 9, nor the similar recitations of independent claims 14 and 17.

At page 3, first paragraph of the Office Action, the Examiner cites Newman as disclosing the noted feature at col. 5, lines 59-67. The Applicant respectfully disagrees. In the cited portion, Newman is describing selection of one of radiated beams of a four-beam receive antenna that is best suited for a "particular user signal of interest at that time" (see Newman, col. 5, lines 59-63). Thus, the selection is with respect to a constant set of four beams radiated by the receive antenna, not with respect to received signals as required by the present claims. Moreover, the Examiner's reliance on Newman as described in the preceding is inconsistent with the position the Examiner takes earlier in the Office Action, in the second paragraph of item 2, where the Examiner acknowledges that "... Newman does not specifically disclose selecting a subset of beams."

Accordingly, the independent claims are allowable over Newman and Antonio, and the dependent claims are likewise allowable for at least the reason that they incorporate the recitations of the independent claims by dependence thereon. Withdrawal of the rejection of claims 9-11, 13-17, and 19-22 as unpatentable over Newman and Antonio is respectfully requested.

In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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By:


William E. Curry
Reg. No. 43,572

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax:(202) 220-4201